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HOUSE BILL 895

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Thomas C. Taylor

AN ACT

**RELATING TO REAL ESTATE; REQUIRING THE SELLER OR AGENTS OF THE
SELLER TO DISCLOSE THE PROXIMITY OF THE REAL ESTATE TO AREAS OF
AIRPORT OPERATION.**

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. DISCLOSURE REQUIRED. --

**A. A seller or an agent of the seller of real
estate within the state is required to disclose to a
prospective purchaser of real estate the fact that the
prospective real estate is located within three statute miles
of the official reference point of an airport or that the
property underlies an area of regular aviation activity.**

B. As used in this section:

**(1) "airport" means an area of land or water
designated for the landing and taking off of aircraft,**

1 including runways, taxiways, terminals, parking facilities,
2 hanger facilities, maintenance facilities for repair,
3 construction and modification and any other facility related to
4 aircraft or airports and utilized by the public as a point of
5 arrival or departure of regularly scheduled aircraft;

6 (2) "area of regular aviation activity" means
7 property that is within the traffic pattern airspace as defined
8 by the federal aviation administration and includes property
9 that is underlying a published approach procedure; and

10 (3) "official reference point" means the
11 midpoint of the designated primary runway.

12 Section 2. EFFECTIVE DATE. --The effective date of the
13 provisions of this act is July 1, 2003.

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